

CWP-27588-2023

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2023:PHHC:157443

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27588-2023

Date of Decision:08.12.2023

SARABJIT SINGH

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Nikhil Anand, Advocate
for the petitioner.

Mr. Indresh Goel, Senior Panel Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 07.11.2023 (Annexure P-26) whereby appeal filed by the petitioner against dismissal order dated 28.12.2018 (Annexure P-16) has been rejected.

2. Learned counsel for the petitioner contends that petitioner was dismissed from service on account of registration of an FIR No.42 dated 22.07.2016, under Sections 302, 201 and 34 of IPC and Sections 25 and 27 of Arms Act, 1959 against him. The petitioner has been acquitted in the said FIR. The act and conduct of the petitioner which led to his dismissal was on account of registration of false FIR against him. The petitioner was unable to make correct decision at that point of time because all the family members of the petitioner were implicated in the FIR. The respondent has rejected representation of the petitioner on the

ground that there was misconduct on the part of petitioner post registration of FIR. The respondent has further formed an opinion that petitioner was not dismissed on account of registration of FIR whereas he was dismissed on account of non-disclosure of FIR and his subsequent act and conduct.

3. Mr. Indresh Goel, Senior Panel Counsel, who on advance notice present in Court submits that petitioner apart from present petition has preferred revision before the Competent Authority, thus, petition at this stage is not maintainable.

4. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition, however, prays that respondents may be directed to adjudicate his revision petition in a time bound manner.

5. In the wake of statement of both sides, the present petition stands disposed of with a direction to Revisionary Authority to decide revision of the petitioner within 3 months from today.

(JAGMOHAN BANSAL)
JUDGE

08.12.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>